

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

John A. Sazy

Application No. 10/655,571

Confirmation No. 6429

Filed: September 4, 2003

Art Unit: 3738

For: INTERVERTEBRAL CAGE AND METHOD
OF USE

Examiner: Brian E. Pellegrino

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent via EFS Web on the date shown below.

Dated: December 19, 2007

Signature: 

(Ronald E. Cahill)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant hereby petitions that the Information Disclosure Statement be considered.

Applicant(s) have become aware of the following documents, cited in a Supplementary Partial European Search Report mailed March 22, 2007, during the prosecution of EP

00980805.6, which is related to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The amount of \$180.00 for the filing fees is filed via EFS Web. Furthermore, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-706.

Dated: December 19, 2007

Respectfully submitted,

By 

Ronald E. Cahill
Registration No.: 38,403
NUTTER MCCLENNEN & FISH LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604
(617) 439-2000
(617) 310-9000 (Fax)
Attorney for Applicant